

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	SHARON JOHNSON COLEMAN	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	11 C 7194	DATE	November 2, 2011
CASE TITLE	Ryan Murphy (#R-53344) vs. Warden David A. Rednour		

DOCKET ENTRY TEXT:

The respondent is ordered to answer the petition or otherwise plead within twenty-one days of the date of this order.

■ [For further details see text below.]

Docketing to mail notices.

STATEMENT

Ryan Murphy, an Illinois state prisoner, has filed a *pro se* petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The petitioner challenges his conviction for murder on the grounds that: (1) the Illinois Appellate Court prevented him from presenting his claims that the State had committed a *Brady* violation and elicited perjured testimony; (2) defense counsel provided ineffective assistance; (3) the trial court abused its discretion in denying the petitioner's motion for a new trial; and (4) the sixty-year sentence imposed was excessive.

The petitioner, who has paid the statutory filing fee, maintains that he has exhausted state court remedies as to all claims raised in his habeas petition; furthermore, he appears to have filed this action in a timely manner. Accordingly, the respondent is ordered to answer the petition or otherwise plead within twenty-one days of the date this order is entered on the clerk's docket. This preliminary order to respond does not, of course, preclude the State from making whatever waiver, exhaustion or timeliness arguments it may wish to present.

The petitioner is instructed to file all future papers concerning this action with the Clerk of Court in care of the Prisoner Correspondent. The petitioner must provide the court with the original plus a judge's copy (including a complete copy of any exhibits) of every document filed. In addition, the petitioner must send an exact copy of any court filing to the Chief, Criminal Appeals Division, Attorney General's Office, 100 West Randolph Street, 12th Floor, Chicago, Illinois 60601. Every document filed by the petitioner must include a
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STATEMENT (continued)

certificate of service stating to whom exact copies were sent and the date of mailing. Any paper that is sent directly to the judge or that otherwise fails to comply with these instructions may be disregarded by the court or returned to the petitioner.